

PROOF

STATE OF IOWA

House Journal

THURSDAY, APRIL 20, 2023

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JOURNAL OF THE HOUSE

One Hundred-second Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 20, 2023

The House met pursuant to adjournment at 8:35 a.m., Bossman of Woodbury in the chair.

Prayer was offered by Isaac Schaben, Clerk for Dieken of O'Brien.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Maya Bossman, guest and daughter of Bossman of Woodbury.

The Journal of Wednesday, April 19, 2023, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2023, adopted the following resolution in which the concurrence of the Senate was asked:

[House Joint Resolution 3](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 128](#), a bill for an act relating to controlled substances, including amending certain controlled substances schedules and precursor substances reporting requirements, making penalties applicable, and including effective date provisions.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 136](#), a bill for an act relating to matters under the purview of the banking division of the department of commerce, including permissible investments, notice requirements, and requirements for a person obtaining control of a state bank.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 174](#), a bill for an act relating to the referral of a patient for diagnostic imaging by a physical therapist.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 271](#), a bill for an act relating to investments of funds by life insurers, and including applicability provisions.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 274](#), a bill for an act relating to a state-funded psychiatry residency and fellowship program.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 335](#), a bill for an act relating to restricted commercial driver's licenses for certain persons employed in designated farm-related service industries.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 461](#), a bill for an act relating to boiler inspections.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 475](#), a bill for an act relating to unfair residential real estate service agreements, providing penalties, and making penalties applicable.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 553](#), a bill for an act relating to affirmative defenses for entities using cybersecurity programs.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 567](#), a bill for an act relating to nonsubstantive Code corrections, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 573](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 19, 2023, amended and passed the following bill in which the concurrence of the House is asked:

[House File 583](#), a bill for an act relating to the transfer of certain motor vehicles by operation of law, including associated odometer disclosure statements.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 584](#), a bill for an act relating to individual licensees who provide child foster care.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 599](#), a bill for an act relating to the regulation of specified gas and electric utilities.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 607](#), a bill for an act relating to real estate licensee liability.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 609](#), a bill for an act relating to specified loans provided by a mortgage banker.

Also: That the Senate has on April 19, 2023, amended and passed the following bill in which the concurrence of the House is asked:

[House File 634](#), a bill for an act relating to persons certified to conduct time-of-transfer inspections of private sewage disposal systems, and providing penalties.

Also: That the Senate has on April 19, 2023, amended and passed the following bill in which the concurrence of the House is asked:

[House File 648](#), a bill for an act providing for the expungement of information regarding investment advisers and investment adviser representatives authorized to do business in this state.

Also: That the Senate has on April 19, 2023, amended and passed the following bill in which the concurrence of the House is asked:

[House File 652](#), a bill for an act relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

Also: That the Senate has on April 19, 2023, adopted the following resolution in which the concurrence of the Senate was asked:

[House Concurrent Resolution 9](#), a concurrent resolution urging the members of Congress to amend federal law to increase the maximum gross weight allowed for motor vehicles operated on the interstate road system in Iowa and bordering states.

Also: That the Senate has on April 19, 2023, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 193](#), a bill for an act relating to the removal of human remains by a person other than a funeral director.

Also: That the Senate has on April 19, 2023, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 496](#), a bill for an act relating to children and students, including establishing a parent's or guardian's right to make decisions affecting the parent's or guardian's child, prohibiting instruction related to gender identity and sexual orientation in school districts, charter schools, and innovation zone schools in kindergarten through grade six, and modifying provisions related to student health screenings, school district library programs, the educational program provided to students enrolled in school districts, accredited nonpublic schools, and charter schools, other duties of school districts and the governing boards of charter schools and innovation zone schools, competent private instruction, and special education.

Also: That the Senate has on April 19, 2023, passed the following bill in which the concurrence of the House is asked:

[Senate File 569](#), a bill for an act relating to local government property taxes, financial authority, operations, and budgets, modifying certain transit funding, property tax credits and exemptions, and appropriations, requiring certain information related to property taxation to be provided to property owners and taxpayers, modifying provisions relating to fees for driver's licenses and nonoperator's identification cards, modifying provisions relating to certain writing fees, making penalties applicable, and including effective date, retroactive applicability, and applicability provisions.

W. CHARLES SMITHSON, Secretary

On motion by Windschitl of Harrison, the House was recessed at 8:39 a.m., until the conclusion of party caucuses.

AFTERNOON SESSION

The House reconvened at 1:10 p.m., Holt of Crawford in the chair.

SENATE AMENDMENT CONSIDERED

House Concurred

Johnson of Buchanan called up for consideration [Senate File 391](#), a bill for an act relating to education, including modifying provisions related to comprehensive school improvement plans, teacher librarians and guidance counselors, required days or hours of instruction in elementary and secondary schools, agreements between school districts and community colleges to teach certain courses, and required courses in school districts and accredited nonpublic schools, and authorizing

school districts to offer sequential units in one classroom, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment [H-1252](#), to the House amendment.

The motion prevailed and the House concurred in the Senate amendment [H-1252](#), to the House amendment.

Johnson of Buchanan moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” ([S.F. 391](#))

The ayes were, 60:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossman	Bradley	Carlson
Cisneros	Collins	Determann	Deyoe
Dieken	Dunwell	Fisher	Fry
Gehlbach	Gerhold	Golding	Graber
Grassley, Spkr.	Gustafson	Gustoff	Harris
Hayes	Henderson	Hora	Jeneary
Johnson	Jones	Kaufmann	Kniff McCulla
Latham	Lohse	Lundgren	Meggers
Meyer, A.	Mohr	Mommsen	Moore
Nordman	Osmundson	Rinker	Sherman
Shipley	Siegrist	Sorensen	Stoltenberg
Stone	Thompson, M.	Thompson, P.	Thomson
Vondran	Wheeler	Wilz	Windschitl
Wood	Wulf	Young	Holt,
			Presiding

The nays were, 36:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Brown-Powers	Buck	Cahill	Cooling
Croken	Forbes	Gaines	Gjerde
Ingels	Isenhardt	Jacoby	James
Judge	Konfrst	Kressig	Kurth
Levin	Madison	Matson	Meyer, B.
Nielsen	Olson	Scheetz	Scholten
Srinivas	Staed	Steckman	Turek
Wessel-Kroeschell	Wilburn	Wilson	Zabner

Absent or not voting, 4:

Ehlert	Sexton	Sieck	Wills
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILL
Unfinished Business Calendar

[Senate File 478](#), a bill for an act relating to the operation of state government, including the commencement of audits, information made available to the auditor of state, and disputes between governmental agencies, with report of committee recommending passage, was taken up for consideration.

Bergan of Winneshiek offered amendment [H-1177](#) filed by the committee on State Government.

Nielsen of Johnson offered amendment [H-1278](#), to the committee amendment [H-1177](#), filed by her from the floor.

Bergan of Winneshiek rose on a point of order that amendment [H-1278](#) was not germane, to amendment [H-1177](#).

The Speaker ruled the point well taken and amendment [H-1278](#) not germane, to the committee amendment [H-1177](#).

Nielsen of Johnson asked for unanimous consent to suspend the rules to consider amendment [H-1278](#), to the committee amendment [H-1177](#).

Objection was raised.

Nielsen of Johnson moved to suspend the rules to consider amendment [H-1278](#), to the committee amendment [H-1177](#).

Roll call was requested by Nielsen of Johnson and Konfrst of Polk.

On the question "Shall the rules be suspended to consider amendment [H-1278](#), to the committee amendment [H-1177](#)?" ([S.F. 478](#))

The ayes were, 35:

Abdul-Samad
Brown-Powers

Amos Jr.
Buck

Baeth
Cahill

Bagniewski
Cooling

Croken	Forbes	Gaines	Gjerde
Isenhart	Jacoby	James	Judge
Konfrst	Kressig	Kurth	Levin
Madison	Matson	Meyer, B.	Nielsen
Olson	Scheetz	Scholten	Srinivas
Staed	Steckman	Turek	Wessel-Kroeschell
Wilburn	Wilson	Zabner	

The nays were, 61:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossmann	Bradley	Carlson
Cisneros	Collins	Determann	Deyoe
Dieken	Dunwell	Fisher	Fry
Gehlbach	Gerhold	Golding	Graber
Grassley, Spkr.	Gustafson	Gustoff	Harris
Hayes	Henderson	Hora	Ingels
Jeneary	Johnson	Jones	Kaufmann
Kniff McCulla	Latham	Lohse	Lundgren
Meggers	Meyer, A.	Mohr	Mommsen
Moore	Nordman	Osmundson	Rinker
Sherman	Shipley	Siegrist	Sorensen
Stoltenberg	Stone	Thompson, M.	Thompson, P.
Thomson	Vondran	Wheeler	Wilz
Windschitl	Wood	Wulf	Young
Holt, Presiding			

Absent or not voting, 4:

Ehlert	Sexton	Sieck	Wills
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The motion to suspend the rules lost.

Bergan of Winneshiek offered amendment [H-1275](#), to the committee amendment [H-1177](#), filed by him from the floor and moved its adoption.

Amendment [H-1275](#), to the committee amendment [H-1177](#), was adopted.

Konfrst of Polk offered amendment [H-1276](#), to the committee amendment [H-1177](#), filed by her from the floor and moved its adoption.

Roll call was requested by Konfrst of Polk and James of Dubuque.

On the question “Shall amendment [H-1276](#), to the committee amendment [H-1177](#), be adopted?” ([S.F. 478](#))

The ayes were, 36:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Brown-Powers	Buck	Cahill	Cooling
Croken	Forbes	Gaines	Gjerde
Isenhardt	Jacoby	James	Judge
Konfrst	Kressig	Kurth	Levin
Madison	Matson	Meyer, B.	Nielsen
Olson	Scheetz	Scholten	Sorensen
Srinivas	Staed	Steckman	Turek
Wessel-Kroeschell	Wilburn	Wilson	Zabner

The nays were, 60:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossman	Bradley	Carlson
Cisneros	Collins	Determann	Deyoe
Dieken	Dunwell	Fisher	Fry
Gehlbach	Gerhold	Golding	Graber
Grassley, Spkr.	Gustafson	Gustoff	Harris
Hayes	Henderson	Hora	Ingels
Jeneary	Johnson	Jones	Kaufmann
Kniff McCulla	Latham	Lohse	Lundgren
Meggers	Meyer, A.	Mohr	Mommsen
Moore	Nordman	Osmundson	Rinker
Sherman	Shipley	Siegrist	Stoltenberg
Stone	Thompson, M.	Thompson, P.	Thomson
Vondran	Wheeler	Wilz	Windschitl
Wood	Wulf	Young	Holt, Presiding

Absent or not voting, 4:

Ehlert	Sexton	Sieck	Wills
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Amendment [H-1276](#), to the committee amendment [H-1177](#), lost.

Nielsen of Johnson offered amendment [H-1277](#), to the committee amendment [H-1177](#), filed by her from the floor and moved its adoption.

Roll call was requested by Nielsen of Johnson and Konfrst of Polk.

On the question "Shall amendment [H-1277](#), to the committee amendment [H-1177](#), be adopted?" ([S.F. 478](#))

The ayes were, 35:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Brown-Powers	Buck	Cahill	Cooling
Croken	Forbes	Gaines	Gjerde
Isenhardt	Jacoby	James	Judge
Konfrst	Kressig	Kurth	Levin

Madison	Matson	Meyer, B.	Nielsen
Olson	Scheetz	Scholten	Srinivas
Staed	Steckman	Turek	Wessel-Kroeschell
Wilburn	Wilson	Zabner	

The nays were, 61:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossman	Bradley	Carlson
Cisneros	Collins	Determann	Deyoe
Dieken	Dunwell	Fisher	Fry
Gehlbach	Gerhold	Golding	Graber
Grassley, Spkr.	Gustafson	Gustoff	Harris
Hayes	Henderson	Hora	Ingels
Jeneary	Johnson	Jones	Kaufmann
Kniff McCulla	Latham	Lohse	Lundgren
Meggers	Meyer, A.	Mohr	Mommsen
Moore	Nordman	Osmundson	Rinker
Sherman	Shipley	Siegrist	Sorensen
Stoltenberg	Stone	Thompson, M.	Thompson, P.
Thomson	Vondran	Wheeler	Wilz
Windschitl	Wood	Wulf	Young
Holt, Presiding			

Absent or not voting, 4:

Ehlert	Sexton	Sieck	Wills
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Amendment [H-1277](#), to the committee amendment [H-1177](#), lost.

Bergan of Winneshiek moved the adoption of the committee amendment [H-1177](#), as amended.

The committee amendment [H-1177](#), as amended, was adopted.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 478](#))

The ayes were, 55:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossman	Bradley	Carlson
Collins	Determann	Deyoe	Dieken
Dunwell	Fisher	Fry	Gehlbach
Gerhold	Golding	Graber	Grassley, Spkr.
Gustafson	Gustoff	Harris	Hayes
Henderson	Hora	Ingels	Jeneary

Johnson	Jones	Kaufmann	Kniff McCulla
Latham	Lohse	Lundgren	Meggers
Meyer, A.	Mohr	Mommsen	Moore
Nordman	Osmundson	Sherman	Siegrist
Stone	Thompson, M.	Thompson, P.	Vondran
Wheeler	Wilz	Windschitl	Wood
Wulf	Young	Holt,	
		Presiding	

The nays were, 41:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Brown-Powers	Buck	Cahill	Cisneros
Cooling	Croken	Forbes	Gaines
Gjerde	Isenhardt	Jacoby	James
Judge	Konfrst	Kressig	Kurth
Levin	Madison	Matson	Meyer, B.
Nielsen	Olson	Rinker	Scheetz
Scholten	Shipley	Sorensen	Srinivas
Staed	Steckman	Stoltenberg	Thomson
Turek	Wessel-Kroeschell	Wilburn	Wilson
Zabner			

Absent or not voting, 4:

Ehlert	Sexton	Sieck	Wills
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

House Concurred

Wheeler of Sioux called up for consideration [Senate File 496](#), a bill for an act relating to children and students, including establishing a parent's or guardian's right to make decisions affecting the parent's or guardian's child, prohibiting instruction related to gender identity and sexual orientation in school districts, charter schools, and innovation zone schools in kindergarten through grade six, and modifying provisions related to student health screenings, school district library programs, the educational program provided to students enrolled in school districts, accredited nonpublic schools, and charter schools, other duties of school districts and the governing boards of charter schools and innovation zone schools, competent private instruction, and special education, amended by the House and further amended by the Senate.

Windschitl of Harrison rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Wheeler of Sioux moved that the House concur in the Senate amendment [H-1271](#), to the House amendment.

The motion prevailed and the House concurred in the Senate amendment [H-1271](#), to the House amendment.

Wheeler of Sioux moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” ([S.F. 496](#))

The ayes were, 57:

Andrews	Best	Bloomingtondale	Boden
Bossman	Bradley	Carlson	Cisneros
Collins	Determann	Deyoe	Dieken
Dunwell	Fisher	Fry	Gehlbach
Gerhold	Golding	Graber	Grassley, Spkr.
Gustafson	Gustoff	Harris	Hayes
Henderson	Hora	Jeneary	Johnson
Kaufmann	Kniff McCulla	Latham	Lohse
Lundgren	Meggers	Meyer, A.	Mohr
Mommsen	Moore	Nordman	Osmundson
Rinker	Sherman	Shipley	Siegrist
Sorensen	Stoltenberg	Stone	Thompson, M.
Thompson, P.	Thomson	Vondran	Wheeler
Windschitl	Wood	Wulf	Young
Holt,			
Presiding			

The nays were, 38:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Bergan	Brown-Powers	Buck	Cahill
Cooling	Forbes	Gaines	Gjerde
Ingels	Isenhardt	Jacoby	James
Jones	Judge	Konfrst	Kressig
Kurth	Levin	Madison	Matson
Meyer, B.	Nielsen	Olson	Scheetz
Scholten	Srinivas	Staed	Steckman
Turek	Wessel-Kroeschell	Wilburn	Wilson
Wilz	Zabner		

Absent or not voting, 5:

Croken	Ehlert	Sexton	Sieck
Wills			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Ehlert of Linn	Sexton of Calhoun
Sieck of Mills	Wills of Dickinson

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 138](#), a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 20, 2023, passed the following bill in which the concurrence of the Senate was asked:

[House File 423](#), a bill for an act relating to contract pharmacies and covered entities that participate in the 340B drug program.

Also: That the Senate has on April 20, 2023, amended and passed the following bill in which the concurrence of the House is asked:

[House File 424](#), a bill for an act providing for the collaborative practice of physician assistants by allowing for the practice of physician assistants without supervision by a physician.

Also: That the Senate has on April 20, 2023, passed the following bill in which the concurrence of the House is asked:

[Senate File 517](#), a bill for an act relating to the addition of biological parent information of an adult adopted person through reestablishment of an original certificate of birth, and providing fees.

Also: That the Senate has on April 20, 2023, passed the following bill in which the concurrence of the House is asked:

[Senate File 546](#), a bill for an act relating to the publication of certain public notices by designated public entities, and including effective date provisions.

W. CHARLES SMITHSON, Secretary

IMMEDIATE MESSAGES

Windschitl of Harrison asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 391, 478 and 496.**

SPONSOR ADDED

[House Joint Resolution 10](#) — Staed of Linn

EXPLANATION OF VOTE

On April 19, 2023, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 158](#) — “aye”
[House File 474](#) — “aye”
[House File 681](#) — “aye”
[House File 703](#) — “aye”
[House File 717](#) — “aye”
[Senate File 250](#) — “aye”
[Senate File 329](#) — “aye”
[Senate File 418](#) — “aye”

[House File 358](#) — “aye”
[House File 478](#) — “aye”
[House File 687](#) — “aye”
[House File 714](#) — “aye”
[House File 718](#) — “aye”
[Senate File 318](#) — “nay”
[Senate File 362](#) — “aye”

Gaines of Polk

AMENDMENTS FILED

H-1270	H.F. 652	Senate amendment
H-1271	S.F. 496	Senate amendment
H-1272	H.F. 648	Senate amendment
H-1273	H.F. 634	Senate amendment
H-1274	H.F. 583	Senate amendment
H-1275	S.F. 478	Bergan of Winneshiek
H-1276	S.F. 478	Konfrst of Polk
H-1277	S.F. 478	Nielsen of Johnson

<u>H-1278</u>	<u>S.F. 478</u>	Nielsen of Johnson
<u>H-1279</u>	<u>H.F. 699</u>	Lohse of Polk
<u>H-1280</u>	<u>H.F. 424</u>	Senate amendment
<u>H-1281</u>	<u>S.F. 542</u>	Scholten of Woodbury
<u>H-1282</u>	<u>S.F. 542</u>	Srinivas of Polk
<u>H-1283</u>	<u>S.F. 542</u>	Cooling of Linn
<u>H-1284</u>	<u>S.F. 542</u>	Cooling of Linn
<u>H-1285</u>	<u>S.F. 542</u>	Bagniewski of Polk

On motion by Windschitl of Harrison, the House adjourned at 2:40 p.m., until 1:00 p.m., Monday, April 24, 2023.